UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,829	01/20/2004	Hui Li	PD030018	4457

24498   7590   07/18/2008

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EXAMINER
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ART UNIT	PAPER NUMBER
2164	

MAIL DATE	DELIVERY MODE
07/18/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/761,829	LI ET AL.
	Examiner	Art Unit	
	Alicia M. Lewis	2164	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 August 2007</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-3,5-9 and 11-14</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-3,5-9 and 11-14</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This office action is responsive to communication filed August 3, 2007. Claims 1-3 and 7-9 are currently amended, claims 4 and 10 are canceled, and claims 12-14 have been added. Therefore, claims 1-3, 5-9 and 11-14 are pending in this application.

Claim Objections

1.   Claims 2, 3, 5, 6, 8, 9, 11-14 are objected to because of the following informalities: the dependent claims should start with the word "The" to show proper dependence on the claims to which they depend. Appropriate correction is required.

2.   Claims 1 and 7 are objected to because of the following informalities: the independent claims should start with the word "A," i.e. "A method" for claim 1 and "A device" for claim 7. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-3, 5-9 and 11-14 are rejected under 35 U.S.C. 102(b) as being

anticipated by Depledge et al. (US Patent 5,899,988) ('Depledge').

With respect to claims 1 and 7, Depledge teaches:

providing first metadata, the first metadata including first metadata essence data

representing information which is directly perceptible by a user (column 1 of Figure 1,

column 2 lines 26-29) and/or metadata link data (location heading in column 2 of Figure

1) which directly or indirectly points to further essence data (column 2 of Figure 1);

transferring said first metadata essence data and/or said further essence data

being directly or indirectly pointed at by said metadata link data into new essence data

(Figure 2A, column 2 lines 37-49); and

storing and providing said new essence data in a memory (Figure 2A, Figure 4).

The customer number column (column 1 of table 100) represents metadata

about customers. The actual customer number represents metadata essence data,

which is directly perceptible by a user. The customer number is linked to the location of

the customer (metadata link data), which is represented by the location heading of

column 2 of data table 100 in Figure 1. This metadata link data points to the further

essence data, the actual location (north, east, south, west) of the customer. The first

metadata essence data (customer numbers) are converted into new essence data, the

bitmap representation of 0's and 1's as seen in the bitmap column of Figure 2A. For

example, customer numbers 102 and 106 (first metadata essence data) have been

converted to bit values of 1 in row 1 of Figure 2A because their location is north.

With respect to claims 2 and 8, Depledge teaches further comprising the step of editing said first metadata essence data and/or said further essence data under the control of a graphical user interface (Figure 4, column 5 lines 26-39).

With respect to claims 3 and 9, Depledge teaches wherein said further essence data is included in second metadata as second metadata essence data (column 2 of Figure 1).

The location column of table 100 represents further essence data as explained above in claim 1, and is also included in second metadata (location of customer) as second metadata essence data (the actual location).

With respect to claims 5 and 11, Depledge teaches wherein said first and/or second metadata essence data include text, picture, audio and/or video information (Figures 1 and 2A).

With respect to claims 6 and 14, Depledge teaches further comprising the step of adding third essence data to said new essence data (Figure 2B, column 2 lines 59-63).

As mentioned previously, the new essence data is the representation of customer numbers in bitmap form. For example, Figure 2A showed this representation with respect to location. Figure 2B shows the bitmap representation with respect to type, thus adding essence data to said new essence data.

With respect to claims 12 and 13, Depledge teaches deleting said second metadata (column 8 lines 29-43, column 3 lines 46-53).

Depledge teaches the idea of deleting data/metadata in database environments (column 3 lines 46-53). He also specifically teaches deletion of entries of a table (column 8 and claim 9), and that metadata are stored as entries of a table.

5.   Claims 1-3, 5-9 and 11-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Jain et al. (US Patent 6,567,980 B1) ('Jain').

With respect to claims 1 and 7, Jain teaches:

providing first metadata, the first metadata including first metadata essence data representing information which is directly perceptible by a user and/or metadata link data which directly or indirectly points to further essence data (column 15 lines 47-48, 51-55);

transferring said first metadata essence data and/or said further essence data being directly or indirectly pointed at by said metadata link data into new essence data (column 15 lines 47-50, 56-57); and

storing and providing said new essence data in said memory (element 140 in Figure 1, column 4 lines 5-9).

With respect to claims 2 and 8, Jain teaches further comprising the step of editing said first metadata essence data and/or said further essence data under the control of a graphical user interface (column 4 line 22).

With respect to claims 3 and 9, Jain teaches wherein said further essence data is included in second metadata as second metadata essence data (column 15 lines 47-55).

With respect to claims 5 and 11, Jain teaches wherein said first and/or second metadata essence data include text, picture, audio and/or video information (Table 1, column 7 – column 8).

With respect to claims 6 and 14, Jain teaches further comprising the step of adding third essence data to said new essence data (column 15 lines 47-57, 66-67).

With respect to claims 12 and 13, Jain teaches deleting said second metadata (column 7 lines 37-39).

Jain teaches that every data type is derived from a virtual base class having basic functions such as deletion. Thus is it clear that all data having various data types may be deleted.

Response to Arguments

6.   Applicant's arguments filed August 3, 2007 have been fully considered but they are not persuasive. Applicant argues that Depledge does not teach metadata essence data that is perceptible by a user. Examiner disagrees. Essence data is defined in the specification as text, pictures, videos, and audio samples which are directly perceptible by a user. The customer number represents text and it is clear that a user may see a customer number. Applicant further argues that the metadata link data is unclear. Examiner disagrees. Depledge teaches the customer number is linked to location data (metadata link data) (Figure 1), which further points to an actual location (north, south, etc.) of the customer (further essence data). Thus, it is clear that Depledge does in fact teach metadata essence data and metadata link data. However, the Examiner would like to point out that the claim only requires one of the two.

7.   Applicant further argues that Depledge does not teach transferring first metadata essence data and/or further essence data into new essence data. Examiner disagrees. Depledge teaches that customer numbers are transferred into bitmap representation of 0's and 1's (Figure 2A). For example, customer numbers 102 and 106 have been transferred to bit values of 1 in row 1 of Figure 2A. The customer numbers represent first metadata essence data and the bit values represent new essence data. Because the bit values are a new/different representation/interpretation of customer numbers, they correspond to new essence data. Bit values may be written as text and are capable of being perceived by a user, thus making them essence data, as defined by the specification.

8.   Regarding the Jain reference, Applicant argues that Jain does not disclose transferring first metadata essence data and/or further essence data into new essence data. Examiner disagrees. Jain teaches that metadata representation of video information may be converted (transferred) into a displayable frame (column 15 lines 47-50). He also teaches that displayable frames of metadata may be transferred into a page (column 15 lines 56-57). Therefore, it is clear that Jain teaches transferring first metadata essence data into new essence data. The limitation of transferring of said further essence data being directly or indirectly pointed at by said metadata link is optional because it appears as a part of an "and/or" phrase.

9.   In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., essence data suitable for cleaning a metadata database, conventional essence) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

10.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

       A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-

5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate

Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alicia M Lewis/
Examiner, Art Unit 2164
July 8, 2008

/Charles Rones/

Supervisory Patent Examiner, Art Unit 2164